

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

SHEQUAN DAVE BRIDGEMAHON,

Plaintiff,

v.

STATE OF PENNSYLVANIA,

Defendant.

No. 4:19-CV-0398

(Judge Brann)

(Magistrate Judge Arbuckle)

**ORDER**

**OCTOBER 3, 2019**

Plaintiff filed the instant action on March 6, 2019, and it was jointly assigned to the undersigned and to Magistrate Judge William I. Arbuckle. Upon designation, a magistrate judge may “conduct hearings, including evidentiary hearings, and . . . submit to a judge of the court proposed findings of fact and recommendations.”<sup>1</sup> Once filed, this report and recommendation is disseminated to the parties in the case who then have the opportunity to file written objections.<sup>2</sup>

Magistrate Judge Arbuckle, after screening plaintiff’s complaint, informed plaintiff that his complaint failed to state a claim upon which relief could be granted, explained the defects in the complaint, and gave plaintiff leave to cure these defects with an amended complaint.<sup>3</sup> Plaintiff did not file an amended

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<sup>1</sup> 28 U.S.C. 636(b)(1)(B).

<sup>2</sup> 28 U.S.C. 636(b)(1).

<sup>3</sup> See ECF No. 6.

complaint.<sup>4</sup> On September 3, 2019, Magistrate Judge Arbuckle issued a thorough report and recommendation recommending that plaintiff's case be dismissed with leave to amend.<sup>5</sup>

No objections to the report and recommendation have been filed. For portions of the report and recommendation to which no objection is made, the Court should, as a matter of good practice, "satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."<sup>6</sup> Regardless of whether timely objections are made by a party, the District Court may accept, not accept, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.<sup>7</sup>

Because I write solely for the parties, I will not restate the facts, but will instead adopt the recitation of facts as set forth by the magistrate judge. I have conducted a de novo review here and found no error.

**AND NOW, IT IS HEREBY ORDERED** that:

1. United States Magistrate Judge William I. Arbuckle's September 3, 2019 Report and Recommendation, ECF No. 8, is **ADOPTED in full**.

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<sup>4</sup> See ECF No. 8 at 1.

<sup>5</sup> See ECF No. 8.

<sup>6</sup> Fed. R. Civ. P. 72(b), advisory committee notes; *see also Univac Dental Co. v. Dentsply Intern., Inc.*, 702 F.Supp.2d 465, 469 (M.D.Pa. 2010) (*citing Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that judges should give some review to every report and recommendation)).

<sup>7</sup> 28 U.S.C. § 636(b)(1); Local Rule 72.31.

2. Plaintiff's complaint is dismissed with further leave to amend pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief can be granted.
3. If an amended complaint is not filed within thirty (30) days, the Clerk of Court is directed to close the case file.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann

United States District Judge